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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/884,618	06/19/2001	Richard L. Spagna	SOM920010003US1	5040

23334 7590 06/21/2005

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EXAMINER	
ABRISHAMKAR, KAVEH	
ART UNIT	**PAPER NUMBER**
2131	

DATE MAILED: 06/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/884,618	SPAGNA ET AL.	
	Examiner	Art Unit	
	Kaveh Abrishamkar	2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 April 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4 and 10-16* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4 an 10-16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *6/11/2002*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to the election/restriction requirement response received on April 8, 2005. Claims 1-16 were originally received for consideration. Per the election/restriction requirement, claims 1-4 and 10-16 remain in the application, and are presently being considered.

Election/Restrictions

2. Claim 5-9 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected invention, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on April 8, 2005.

Information Disclosure Statement

3. An initialed and dated copy of Applicant's IDS form 1449, received June 11, 2002, is attached to this Office action.

Claim Objections

4. Claim 14 is objected to because of the following informalities: The preamble is concluded with a semi-colon, when a colon is needed. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1, 11, and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6. Claim 1 defines "an identifier" in the second limitation, and then "a identifier" in the third limitation, and then specifies "the identifier" in the fourth limitation. It is unclear which identifier the fourth limitation is referring, therefore, making the claim indefinite.

7. Claim 11 defines "an identifier" in the second limitation, and then "a identifier" in the third limitation, and then specifies "the identifier" in the fourth limitation. It is unclear which identifier the fourth limitation is referring, therefore, making the claim indefinite.

8. Claim 15 defines "an identifier" in the second limitation, and then "a identifier" in the third limitation, and then specifies "the identifier" in the fourth limitation. It is unclear which identifier the fourth limitation is referring, therefore, making the claim indefinite.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. Claims 1-4 and 10-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kang et al. (U.S. Patent Pub. No. 2004/0225891).

Regarding claim 1, Kang discloses:

A method for forming a data table stored in memory, the data table forming a library index of storage locations to electronic digital content, the method comprising the steps of:

receiving an encrypted file from storage wherein the file has a beginning, an end and trailer section located just prior to the end (paragraph 53, paragraph 58);

reading a predetermined distance into the file to retrieve an identifier placed at a predetermined position (paragraph 94, paragraphs 113-114);

decrypting a identifier with a first decrypting key (paragraph 89);

determining if the identifier is valid and if the identifier is valid then performing the steps of:

reading the header section from the file (paragraphs 117-119);

decrypting the header section with the first decrypting key (paragraph 118);

determining if the there are any updates in the header section (paragraphs 117-121) and if there are no updates to the header section then performing the steps of:

decrypting a reference table containing one or more data table location indicators for data items with the first decrypting key (paragraphs 120-122);

decrypting one or data items with the first decrypting key (paragraphs 120-122); and

populating the data table with data items at locations specified in the reference table with data (paragraphs 120-122).

Kang does not explicitly disclose that a trailer section is read from the file, but instead discloses that a header section is read and verified for changes as disclosed above. The file disclosed by Kang does have a trailer, header, and an end as delineated by the application, but uses the header section instead of the trailer section. However, since the mechanism exists to locate a header and a trailer section, it would have been obvious to interchange the header and trailer in the application as the header and trailer are sections of the file and can be partitioned subjectively. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the trailer section to store the information that is stored in the header section of Kang, as a header and trailer are just sections of a file which can be partitioned subjectively.

Claim 2 is rejected as applied above in rejecting claim 1. Furthermore, Kang discloses:

The method according to claim 1, wherein the step of populating the data table includes populating the data table in a tamper resistant environment (paragraphs 56-60).

Claim 3 is rejected as applied above in rejecting claim 1. Furthermore, Kang discloses:

The method according to claim 1, further comprising the steps of:

retrieving a base key from a key database (paragraph 48);

retrieving a timestamp from the database file forming the first decrypting key as a combination of the base key and the timestamp (paragraph 48).

Claim 4 is rejected as applied above in rejecting claim 1. Furthermore, Kang discloses:

The method according to claim 1, wherein the step of determining if there any updates in the trailer section includes:

getting an offset to an update reference table (paragraph 95);

decrypting the update reference table containing one or more data table location indicators for update data items with the first decrypting key (paragraphs 94-95, paragraphs 120-122);

decrypting one or more update data items with the first decrypting key (paragraphs 94-95, paragraphs 120-122); and

populating the data table with update data items at locations specified in the update reference table with the update data (paragraphs 94-95, paragraphs 120-122).

Regarding claim 10, Kang discloses:

A method for forming a data table stored in memory, the data table forming a library index of storage locations to electronic digital content, the method comprising the steps of:

retrieving an encrypted file from storage wherein the file has a beginning, an end and trailer section located just prior to the end (paragraph 53, paragraph 58);

reading from the end of the file, a predetermined distance, to read an identifier placed at a predetermined position (paragraph 94, paragraphs 113-114);

decrypting a token with a first decrypting key (paragraph 89);

determining if the token is valid and if the token is valid then performing the steps of:

reading the header section from the file (paragraphs 117-119);

decrypting the header section with the first decrypting key (paragraph 118);

determining if the there are any updates in the header section (paragraphs 117-121) and if there are no updates to the trailer section then performing the steps of:

decrypting a reference table containing one or more data table location indicators for data items with the first decrypting key (paragraphs 120-122);

decrypting one or data items with the first decrypting key (paragraphs 120-122); and

populating the data table with data items at locations specified in the reference table with data (paragraphs 120-122).

Kang does not explicitly disclose that a trailer section is read from the file, but instead discloses that a header section is read and verified for changes as disclosed above. The file disclosed by Kang does have a trailer, header, and an end as delineated by the application, but uses the header section instead of the trailer section. However, since the mechanism exists to locate a header and a trailer section, it would have been obvious to interchange the header and trailer in the application as the header and trailer are sections of the file and can be partitioned subjectively. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the trailer section to store the information that is stored in the header section of Kang, as a header and trailer are just sections of a file which can be partitioned subjectively.

Regarding claim 11,

A computer readable medium containing programming instruction for forming a data table stored in memory, the data table forming a library index of storage locations to electronic digital content, the programming instructions comprising:

receiving an encrypted file from storage wherein the file has a beginning, an end and trailer section located just prior to the end (paragraph 53, paragraph 58);

reading a predetermined distance into the file to retrieve an identifier placed at a predetermined position (paragraph 94, paragraphs 113-114);

decrypting a identifier with a first decrypting key (paragraph 89);

determining if the identifier is valid and if the identifier is valid then performing the steps of:

reading the header section from the file (paragraphs 117-119);

decrypting the header section with the first decrypting key (paragraph 118);

determining if the there are any updates in the header section (paragraphs 117-121) and if there are no updates to the header section then performing the steps of:

decrypting a reference table containing one or more data table location indicators for data items with the first decrypting key (paragraphs 120-122);

decrypting one or data items with the first decrypting key (paragraphs 120-122); and

populating the data table with data items at locations specified in the reference table with data (paragraphs 120-122).

Kang does not explicitly disclose that a trailer section is read from the file, but instead discloses that a header section is read and verified for changes as disclosed above. The file disclosed by Kang does have a trailer, header, and an end as delineated by the application, but uses the header section instead of the trailer section. However, since the mechanism exists to locate a header and a trailer section, it would have been obvious to interchange the header and trailer in the application as the header and trailer are sections of the file and can be partitioned subjectively. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the trailer section to store the information that is stored in the header section of Kang, as a header and trailer are just sections of a file which can be partitioned subjectively.

Claim 12 is rejected as applied above in rejecting claim 11. Furthermore, Kang discloses:

The computer readable medium according to claim 11, wherein the programming instruction of populating the data table includes populating the data table in a tamper resistant environment (paragraphs 56-60).

Claim 13 is rejected as applied above in rejecting claim 11. Furthermore, Kang discloses:

The computer readable medium according to claim 11, further comprising the programming instruction of:

retrieving a base key from a key database (paragraph 48);

retrieving a timestamp from the database file forming the first decrypting key as a combination of the base key and the timestamp (paragraph 48).

Claim 14 is rejected as applied above in rejecting claim 11. Furthermore, Kang discloses:

The computer readable medium according to claim 11, wherein the programming instruction of determining if there are any updates in the trailer section includes:

getting an offset to an update reference table (paragraph 95);

decrypting the update reference table containing one or more data table location indicators for update data items with the first decrypting key (paragraphs 94-95, paragraphs 120-122);

decrypting one or more update data items with the first decrypting key (paragraphs 94-95, paragraphs 120-122);

populating the data table with update data items at locations specified in the update reference table with the update data (paragraphs 94-95, paragraphs 120-122).

Regarding claim 15, Kang discloses:

An end user information processing system comprising:

a data table stored in memory, the data table forming a library index of storage locations to electronic digital content (paragraphs 120-122);

an encrypted file received receiving from storage wherein the file has a beginning, an end and trailer section located just prior to the end (paragraph 53, paragraph 58);

an identifier placed at a predetermined distance in the file (paragraph 94, paragraphs 113-114);

a first decrypting key for decrypting a identifier (paragraph 118);

means for determining if the identifier is valid and if the identifier is valid then means for determining if there are any updates in the header section, wherein the header section has been decrypted with the first decrypting key section, and if there are any updates in the header section then populating the data table with data items at locations specified in the reference table with data (paragraphs 117-122).

Kang does not explicitly disclose that a trailer section is read from the file, but instead discloses that a header section is read and verified for changes as disclosed above. The file disclosed by Kang does have a trailer, header, and an end as delineated by the application, but uses the header section instead of the trailer section. However, since the mechanism exists to locate a header and a trailer section, it would have been obvious to interchange the header and trailer in the application as the header and trailer are sections of the file and can be partitioned subjectively. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the trailer section to store the information that is stored in the header section of Kang, as a header and trailer are just sections of a file which can be partitioned subjectively.

Claim 16 is rejected as applied above in rejecting claim 15. Furthermore, Kang discloses:

The end user information processing system according to claim 15, wherein the means for determining if the identifier is valid further includes populating the data table includes populating the data table in a tamper resistant environment (paragraphs 56-60).

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kaveh Abrishamkar whose telephone number is 571-272-3786. The examiner can normally be reached on Monday thru Friday 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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06/14/05